

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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WADE ALAN KNIGHT,

Case No. 3:22-cv-00331-MMD-CSD

Plaintiff,

ORDER

v.

ELKO COUNTY, *et al.*,

Defendants.

*Pro se* Plaintiff Wade Alan Knight filed this lawsuit under 42 U.S.C. § 1983 alleging violations of his constitutional rights while he was detained pretrial in the Elko County Jail. (ECF No. 7.) Before the Court is United States Magistrate Judge Craig S. Denney's Report and Recommendation (ECF No. 95 ("R&R")), recommending that the Court resolve the pending motions, and this case, in Defendants' favor.<sup>1</sup> Objections to the R&R were due January 3, 2024. (*See id.*) To date, no objections to the R&R have been filed. For this reason, because the Court agrees with Judge Denney's analysis in the R&R, and as further explained below, the Court adopts the R&R in full.

Because there was no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Denney did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) ("De novo review of the magistrate judges' findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.") (emphasis in original). Judge Denney first recommends denying Plaintiff's motion for summary judgment as to Ricks and granting Ricks'

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<sup>1</sup>The pending motions are: (1) Plaintiff's motion for summary judgment against Defendant Starla Ricks (ECF No. 73); (2) all defendants except for Ricks' motion for summary judgment (ECF No. 81); and (3) Ricks' motion for summary judgment (ECF No. 85). Judge Denny also recommends dismissing Defendant Crowther under Federal Rule of Civil Procedure 4(m). (ECF No. 95 at 3.)

1 countermotion because the evidence before the Court does not show Ricks' conduct put  
2 Plaintiff at substantial risk of suffering serious harm or that she caused him any injury.  
3 (ECF No. 95 at 10.) Judge Denney next recommends that the Court grant Elko County  
4 summary judgment because there is no evidence to support Plaintiff's allegation that Elko  
5 County had a policy against providing treatment for Hepatitis C. (*Id.* at 11.) Judge Denney  
6 then recommends the Court grant summary judgment in Parry's favor on Plaintiff's  
7 Fourteenth Amendment conditions of confinement claim because the evidence shows  
8 that the shower conditions were adequate and Parry did not know about them in any  
9 event. (*Id.* at 13.) And Judge Denney finally recommends that the Court grant summary  
10 judgment in Defendants' favor on Plaintiff's Fourteenth Amendment right to bodily privacy  
11 claim because the evidence does not support Plaintiff's allegations and Plaintiff did not  
12 respond to the motion despite being given some extensions of time. (*Id.* at 15.) Judge  
13 Denney did not clearly err.

14 It is therefore ordered that the Report and Recommendation of United States  
15 Magistrate Judge Craig S. Denney (ECF No. 95) is accepted and adopted in full.

16 It is further ordered that Defendant Crowther is dismissed from this case under  
17 Federal Rule of Civil Procedure 4(m).

18 It is further ordered that Plaintiff's motion for summary judgment as to Defendant  
19 Ricks (ECF No. 73) is denied.

20 It is further ordered that Defendants Elko County, Parry, and Narvaiza's motion for  
21 summary judgment (ECF No. 81) is granted.

22 It is further ordered that Defendant Ricks' motion for summary judgment (ECF No.  
23 85) is granted.

24 The Clerk of Court is directed to enter judgment accordingly—in Defendants'  
25 favor—and close this case.

26 DATED THIS 9<sup>th</sup> Day of January 2024.

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MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE